



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

SEPTEMBER 16, 2015

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Alvin I. Fisher, Jr., Chairman

Richard C. Antelli

Daniel P. Barletta, DDS

Christine R. Burke

Devan Helfer

William E. Selke

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

John Gauthier, P.E., Associate Engineer

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

Absent

Additions, Deletions and Continuances to the Agenda

Announcements

PLANNING BOARD MINUTES
September 16, 2015

PUBLIC HEARINGS

Old Business

None

New Business

1. Applicant: Marc-Mar Homes, Inc.
Location: 2825 and 2839 Ridgeway Avenue
Mon. Co. Tax No.: 088.04-3-10, & 11.1
Request: Revised preliminary plat and final plat approval for The Woods at Canal Path subdivision, Section 2, consisting of 7 lots on approximately 11.17 acres
Zoning District: R1-E (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Richard Giraulo, LaDieu Consulting, LLC, presented the application.

Mr. Giraulo: We are hoping this will bring to closure a project that has been going on for about 13 years. Section 1 started in 2002; that is shown on the lower half of the drawing. This section is in accordance with what is on the preliminary plat. Originally, we had thirty lots and two accesses onto Ridgeway Avenue. This has taken a long time to complete, so the original developer decided to sell. Now we have a new developer, whose idea is to make these lots much bigger. We have proposed seven lots, which is just nine short of the original plan. We have put in a cul-de-sac to make the neighborhood more exclusive, and have added an island for green space. The lot sizes range from two acres to just under an acre. The Erie Canal is to the south. We have added a canal district line to the map; the setbacks would be 50 feet from there. Sanitary sewer and water already are on the site. The sanitary sewer will be picked up from the rear of one of the existing lots and continued into the property. This subdivision has quite a bit of topography. The canal is higher and the property drops into a low valley and comes back up, so the grading was tricky. We tried to preserve the wooded nature of the site, so the grading was designed to fit the houses into the lots without going too far into the rear yard. We have a big hill coming down across the site that we want to try to minimize for grading. To accomplish that, we put the road at existing grade, to balance the sides, but we do have a pretty good valley and will require some pretty good fill for the cul-de-sac and to put the houses on the high side. We are going to keep as much vegetation and buffer as possible. For storm water management, there are three existing ponds, which were developed back in 2002, 2003, with Section 1; they are there, but no record maps of the ponds were prepared because the maps weren't required when the ponds were done. We did some survey of the ponds at the water line; they are as big as they are supposed to be at the water line. I am pretty confident that the ponds are actually as big as they initially were designed to be. I have provided the Town's engineering staff with storm water calculations based upon the original design volumes. I showed the new storm sewer system and ran the calculations; those are in compliance with the requirements of the new regulations.

Mr. Copey: As a revised preliminary plat, this was routed through Monroe County Department of Planning and Development and the Monroe County Development Review Committee. They did not have any major comments and, the Monroe County Department

PLANNING BOARD MINUTES
September 16, 2015

of Transportation did not have any concerns about the elimination of a road access point due to changing to a cul-de-sac from a road connection to Ridgeway Avenue. We had no comments from our Fire Marshal or building department; the zoning staff just had some notes to be added. We have drafted a resolution for the revised preliminary and final plat. Mr. Giraulo requested that we take Condition 5 and add it to the final plat for Section 2. We are agreeable to that as long as it's understood that all the ponds that are there, in Sections 1 and 2, have to be certified. Lastly, in the southwest corner of the subdivision is the boundary of the Canal Corridor Overlay (CCO) District. This subdivision originally was approved before the creation of the CCO District, and there was a requirement to put a conservation easement in roughly the same area as what is covered by the CCO District today. Our recommendation is that we can do without the conservation easement because the CCO District now is in place and serves the same purpose.

Mr. Gauthier: I have no additional comments.

Mr. Giraulo: The only comment I have is regarding the record mapping. My clients have no problem with providing the record mapping for the pond that's on the land that they will be developing; however, they don't feel that they should have to go back and provide record maps for a pond that was built by someone else.

Mr. Gauthier: We are willing to work with you on that. We just want to make sure that the pond is not filled with silt. We just want to know where that stands and what your computations are because the pond's effectiveness is dependent upon it being constructed as designed. I can't sign off on the Notice of Termination ("NOT") until it's in proper condition. A few indicative soundings below the surface would suffice.

Jonathan Mauer, 2842 Ridgeway Avenue: I own the property across the street. I heard brief mention of an easement. You're not going to do it?

Mr. Fisher: Right along the canal, there is a section that is in the Canal Corridor Overlay District. We originally had required a conservation easement that would have prevented taking down the trees or putting any development in the area covered by the proposed easement; however, since that time, there has been a new zoning district created which accomplishes the same thing.

Mr. Mauer: There was a sidewalk mentioned, but where will it go? It seems like it will not go anywhere. Will there be fences on the Ridgeway Avenue side of the lots?

Mr. Fisher: The Town has the easement for the sidewalk, so when it makes sense to have it there, the sidewalk will be built. There are no fences proposed at this time; however, if any of the homeowners wanted one, they would have to obtain a variance from the Board of Zoning Appeals.

Mr. Mauer: How many trees will be taken down?

Mr. Fisher: This section is being designed so that they dramatically limit the amount of clearing. There will be a substantial buffer.

Mr. Mauer: There seems to be less and less wildlife because of the encroachment of development. When would this project begin?

Mr. Fisher: Again, they are trying to keep as much buffering as possible. We could ask the developer's representative when they would start.

Paula Giudice, 777 Ridgeway Avenue: My property is next to this proposal, to the west. Does Masi Enterprises still own this property?

Mr. Fisher: The land will be sold to another developer, then to individual homebuyers.

PLANNING BOARD MINUTES
September 16, 2015

Ms. Giudice: Is this project different than was proposed before? Was the zoning changed? There is rock wall. Will that be removed? Is there a buffer zone? What are the sizes of the homes to be built?

Mr. Fisher: The zoning has not changed, you are allowed to build something that is larger than the minimum required by the zoning ordinance, but not smaller. The developer would keep the buffer and the rock wall; however, the subsequent homebuyers could remove it if they wanted. The lots are large, so I would expect that the homes would be larger than what you'd have with standard-sized lots.

Mr. Giraulo: We hope to start in a couple of months.

Mr. Fisher: It's a nice upgrade. Eliminating the second access to Ridgeway Avenue provides a more marketable property.

Mr. Selke: Is this a private drive?

Mr. Fisher: No, it's a public street.

Ms. Helfer made the following motion, seconded by Mr. Barletta:

WHEREAS Marc-Mar Homes, Inc. (the "Applicant") has submitted a proposal (the "Proposal") to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a revised preliminary plat, as more fully described in the minutes of this public meeting, relative to property generally located at 2825 and 2839 Ridgeway Avenue (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, One Vince Tofany Boulevard, at which time all parties in interest and citizens were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board has carefully considered environmental information that was prepared by the Applicant's representatives or the Town's staff, which included but was not limited to: descriptions; maps; drawings; analyses; reports; reviews; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF") (collectively, the "Environmental Analysis").
5. The Planning Board also has included in the Environmental Analysis and has carefully considered additional information and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.

PLANNING BOARD MINUTES
September 16, 2015

7. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
10. The Planning Board has met the procedural and substantive requirements of SEQRA.
11. The Planning Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
12. The Planning Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
13. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
14. The Planning Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Planning Board's determination is supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

VOTE:	Antelli	Yes	Barletta	Yes
	Burke	Yes	Helfer	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Ms. Helfer then made the following motion, seconded by Mr. Barletta, to approve the revised preliminary plat, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally

PLANNING BOARD MINUTES
September 16, 2015

presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.

2. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.
3. Consistent with the original August 7, 2002 Preliminary Plat approval for the Woods at Canal Path Subdivision, one street tree shall be provided for each lot in this subdivision. The size, location, and species shall be subject to approval by the Commissioner of Public Works.
4. No pre-construction meeting shall be scheduled unless and until a Notice of Intent (NOI) has been filed with the New York State Department of Environmental Conservation (the "NYSDEC").

Throughout the life of the storm water permit (from the filing of the Notice of Intent to the Notice of Termination), the developer shall comply fully with all aspects of the NYSDEC General Permit No. GP-0-15-002, particularly Part IV, which describes:

- periodic inspections of the construction site by a qualified professional; and
- maintenance of a site log; and
- stabilization requirements; and
- maintenance of sediment traps and ponds during construction.

The periodic inspection reports shall be provided to the Town's Engineering staff within 24 hours of inspections.

5. Subject to approval by the Town's Commissioner of Public Works and engineering staff.
6. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
7. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors and assigns.
8. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

PLANNING BOARD MINUTES
September 16, 2015

VOTE:	Antelli	Yes	Barletta	Yes
	Burke	Yes	Helfer	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPROVED WITH CONDITIONS**

Ms. Helfer then made the following motion, seconded by Ms. Burke:

WHEREAS Marc-Mar Homes, Inc. (the "Applicant") has submitted a proposal (the "Proposal") to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a final-plat, as more fully described in the minutes of this public meeting, relative to property generally located at 2825 and 2839 Ridgeway Avenue (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. The environmental review was completed when the preliminary plat was approved by the Planning Board and the Planning Board issued a negative declaration, indicating no significant adverse environmental impact.
2. The final plat is consistent with the preliminary plat.

NOW, THEREFORE, be it

RESOLVED that SEQRA requires no further review of the Proposal.

VOTE:	Antelli	Yes	Barletta	Yes
	Burke	Yes	Helfer	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Ms. Helfer then made the following motion, seconded by Ms. Burke, to approve the final plat, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. The Town's *2001 Community Master Plan Update* (Clough, Harbour & Associates, September 2001) contains current and projected population growth; an inventory and analysis of public, private, and semi-private recreation facilities, both active and passive; and recommendations for future actions. Based on this document, the Planning Board finds that the Town currently needs, or will need, additional park and recreation space in the vicinity of the Proposal. The Planning Board further finds that

PLANNING BOARD MINUTES
September 16, 2015

development of this subdivision will contribute to the demand for additional park and recreation space, and that this subdivision provides no suitable park or recreation land to address such current or future need. Therefore, pursuant to New York State Town Law, Section 277, payment of the Town's recreation fee shall be required for each building lot in this subdivision, payable to the Town upon the issuance of the original building permit for each house. A note that indicates this requirement shall be added to the plat.

3. Consistent with the original August 7, 2002 Preliminary Plat approval for the Woods at Canal Path Subdivision, one street tree shall be provided for each lot in this subdivision. The size, location, and species shall be subject to approval by the Commissioner of Public Works.
4. The date of the sidewalk waiver granted by the Town Board shall be added to the plat.
5. No pre-construction meeting shall be scheduled unless and until a Notice of Intent (NOI) has been filed with the New York State Department of Environmental Conservation (the "NYSDEC").

Throughout the life of the storm water permit (from the filing of the Notice of Intent to the Notice of Termination), the developer shall comply fully with all aspects of the NYSDEC General Permit No. GP-0-15-002, particularly Part IV, which describes:

- periodic inspections of the construction site by a qualified professional; and
- maintenance of a site log; and
- stabilization requirements; and
- maintenance of sediment traps and ponds during construction.

The periodic inspection reports shall be provided to the Town's Engineering staff within 24 hours of inspections.

6. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
7. No building permits shall be issued for any of the lots in this subdivision unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk. The Liber and Page of easement filing shall be referenced on final as-built record drawings provided to the Town.
8. No building permits shall be issued for any of the lots in this subdivision unless and until this final plat has been recorded in the Office of the Monroe County Clerk. The Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk shall be indicated on the approved, signed copies of this final plat that are submitted to the Town. A note that indicates this requirement shall be added to the plat.
9. No building permits shall be issued for any of the lots in this subdivision unless and until a digital copy of the plans has been submitted. All sheets in the drawing set, with all necessary signatures and the Liber and Page at which this final plat is recorded in the Office of the Monroe County Clerk, shall be provided in Tagged Image File (".TIF") format at a minimum resolution of 400 dpi.
10. Subject to approval by the Town's Commissioner of Public Works and engineering staff.

PLANNING BOARD MINUTES
September 16, 2015

11. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
12. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors and assigns.
13. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
14. Upon completion of construction of the storm water management ponds, the Applicant shall provide certification that such pond was constructed as designed and approved. Such certification shall be provided in the form of an as-built topographic survey with pertinent utility structures shown, prepared by a New York State Licensed Land Surveyor. No final approval signatures shall be placed on the Revised Preliminary Plat unless and until the Applicant has submitted to the Town a financial guarantee (such as a letter of credit, certified check, or other acceptable instrument), in an amount approved by the Town's Commissioner of Public Works and the Town Attorney, that is sufficient to properly construct the proposed pond, and to provide the aforementioned certification. No release of such financial guarantee shall be made unless and until the improvements and certification are completed to the satisfaction of the Town's Commissioner of Public Works and the Town Attorney.

VOTE:	Antelli	Yes	Barletta	Yes
	Burke	Yes	Helfer	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPROVED WITH CONDITIONS

PLANNING BOARD MINUTES
September 16, 2015

SITE PLANS

Old Business

1. Applicant: Crescent Beach Restaurant and Hotel, LLC
 Location: 1372, 1384 & 1390 Edgemere Drive
 Request: Site plan approval for the following changes to the site of an existing restaurant: addition of concrete patio on the north and east sides; revised parking lot layout; removal of an accessory structure (one-car garage); and related utilities, grading, and landscaping, on approximately 2.6 acres

 Zoning District: BR (Restricted Business)
 Mon. Co. Tax No.: 035.09-1-21, 035.09-1-22, 035.09-1-23

Motion by Ms. Burke, seconded by Mr. Antelli, to continue the application to the October 21, 2015, meeting, as requested by the applicant.

VOTE:	Antelli	Yes	Barletta	Yes
	Burke	Yes	Helper	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

**MOTION CARRIED
APPLICATION CONTINUED
TO OCTOBER 21, 2015, MEETING**

PLANNING BOARD MINUTES
September 16, 2015

New Business

None

SPECIAL PLANNING TOPICS

Old Business

None

New Business

None

CODE ENFORCEMENT

ADJOURNMENT: 7:28 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Alvin I. Fisher, Jr., Chairman

Date: _____